

AMENDED IN ASSEMBLY MAY 7, 2014

AMENDED IN ASSEMBLY MAY 5, 2014

AMENDED IN ASSEMBLY MARCH 28, 2014

CALIFORNIA LEGISLATURE—2013–14 REGULAR SESSION

## **ASSEMBLY BILL**

**No. 1975**

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**Introduced by Assembly Member Roger Hernández**

February 19, 2014

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An act to amend Section 1798.162 of, *and to add Section 1797.120 to*, the Health and Safety Code, relating to emergency medical services, and making an appropriation therefor.

### LEGISLATIVE COUNSEL'S DIGEST

AB 1975, as amended, Roger Hernández. Trauma care systems.

Existing law, the Emergency Medical Services System and the Prehospital Emergency Medical Care Personnel Act, permits each county to establish an emergency medical services program under which the county is required to designate a local emergency medical services (EMS) agency. The act establishes the Emergency Medical Services Authority, which is responsible for the coordination and integration of all state agencies concerning emergency medical services. Existing law authorizes a local EMS agency to implement a trauma care system only if the system meets the minimum standards adopted by the authority, as prescribed. Existing law requires a local EMS agency that elects to implement a trauma care system to develop and submit a plan for that trauma care system to the authority in accordance with regulations adopted by the authority.

This bill would require a local EMS agency implementing a trauma care system, as part of the minimum standards, to commission—the

~~American College of Surgeons an independent nonprofit organization or governmental entity qualified to assess trauma systems to conduct a comprehensive regional assessment of equitability and access to its trauma system, and would require the assessment be performed in conjunction with other local EMS agencies in that agency's region and the regional trauma coordinating committee (RTCC) established by the authority for that region. The bill would require the local EMS agencies to submit the results of each assessment to the authority. The bill would require that the assessments occur at least once every five years, but would authorize the RTCCs and the authority to determine, after the initial assessment, whether it would be proper for subsequent assessments to occur on a more frequent basis, as specified. The bill would authorize the 5 RTCCs to assess and provide recommendations to the local EMS agencies and the authority, and would require the local EMS agencies implementing a trauma care system to incorporate these recommendations into their respective trauma care plans. The bill would also make legislative findings and declarations regarding the need for special legislation.~~

*This bill would require the authority to develop a statewide trauma plan that addresses all aspects of a trauma care system and would require the authority to report to the Legislature, by March 31, 2015, the status of the development or implementation of the statewide trauma plan. The bill would appropriate \$500,000 from the General Fund to the authority for the implementation of a data collection system for conducting trauma care assessments across the state. The bill would require the authority to use the data to help implement and direct the statewide trauma system plan, as specified, and would require the implementation to be completed by January 1, 2016.*

Vote:  $\frac{2}{3}$ . Appropriation: yes. Fiscal committee: yes.  
State-mandated local program: no.

*The people of the State of California do enact as follows:*

- 1     SECTION 1. Section 1797.120 is added to the Health and
- 2     Safety Code, to read:
- 3     1797.120. (a) (1) The authority shall develop a statewide
- 4     trauma plan that addresses all aspects of a trauma care system,
- 5     including, but not limited to, a statewide plan for trauma in the
- 6     case of bioterrorism, natural disasters, mass casualties, and access
- 7     to trauma care for rural and urban communities.

(2) (A) By March 31, 2015, the authority shall report to the Legislature, in compliance with Section 9795 of the Government Code, the status of the development or implementation of the statewide trauma plan.

(B) The requirement for submitting a report imposed under subparagraph (A) is inoperative on March 31, 2019, pursuant to Section 10231.5 of the Government Code.

(b) (1) Five hundred thousand dollars (\$500,000) is hereby appropriated from the General Fund to the authority for the implementation of a data collection system for conducting trauma assessments across the state. The authority shall use these funds for staff, setup of electronic data collection, materials, and any other costs associated with implementing the data collection system.

(2) The authority shall use the data collected to help direct and implement the statewide trauma plan.

**SECTION 1.**

SEC. 2. Section 1798.162 of the Health and Safety Code is amended to read:

1798.162. (a) A local emergency medical services agency may implement a trauma care system only if the system meets the minimum standards set forth in the regulations for implementation established by the authority and the plan required by Section 1797.257 has been submitted to, and approved by, the authority. Prior to submitting the plan for the trauma care system to the authority, a local emergency medical services agency shall hold a public hearing and shall give adequate notice of the public hearing to all hospitals and other interested parties in the area proposed to be included in the system. This subdivision does not preclude a local EMS agency from adopting trauma care system standards which are more stringent than those established by the regulations.

(b) Notwithstanding subdivision (a) or any other provision of this article, the Santa Clara County Emergency Medical Services Agency may implement a trauma care system prior to the adoption of regulations by the authority pursuant to Section 1798.161. If the Santa Clara County Emergency Medical Services Agency implements a trauma care system pursuant to this subdivision prior to the adoption of those regulations by the authority, the agency shall prepare and submit to the authority a trauma care system plan

1 which conforms to any regulations subsequently adopted by the  
2 authority.

3 (c) A local emergency medical services agency implementing  
4 a trauma care system shall, as part of the minimum standards  
5 adopted pursuant to Section 1798.161, commission the American  
6 College of Surgeons *an independent nonprofit organization or*  
7 *governmental entity qualified to assess trauma systems* to conduct  
8 a comprehensive regional assessment of equitability and access to  
9 its trauma system. This assessment shall be performed on a regional  
10 basis, in conjunction with other local emergency medical services  
11 agencies in that agency's region and the regional trauma  
12 coordinating committee (RTCC) established by the authority for  
13 that region. The local emergency medical services agencies shall  
14 submit the results of each assessment to the authority. These  
15 assessments shall occur at least once every five years. After the  
16 first assessment, the RTCCs, along with the authority, may  
17 determine whether it would be proper for subsequent assessments  
18 to occur on a more frequent basis depending on the outcomes of  
19 the initial assessment, including outcomes with respect to access  
20 to trauma care for rural and urban communities and trauma care  
21 in case of bioterrorism, natural disasters, and mass casualties.

22 (d) Each of the five RTCCs may assess and provide  
23 recommendations to the local emergency medical services agencies  
24 and to the authority. The local emergency medical services agencies  
25 implementing a trauma care system shall incorporate these  
26 recommendations into their respective trauma care plans and submit  
27 these revised plans to the authority for approval.

28 ~~(e) (1) Five hundred thousand dollars (\$500,000) is hereby~~  
29 ~~appropriated from the General Fund to the authority for the~~  
30 ~~implementation of a data collection system for conducting trauma~~  
31 ~~assessments across the state. The authority shall use these funds~~  
32 ~~for staff, setup of electronic data collection, materials, and any~~  
33 ~~other costs associated with implementing the data collection~~  
34 ~~system.~~

35 ~~(2) The authority shall use the data collected to help implement~~  
36 ~~and direct the statewide trauma system plan, which shall address~~  
37 ~~a statewide plan for trauma in the case of bioterrorism, natural~~  
38 ~~disasters, mass casualties, and access to trauma care for rural and~~  
39 ~~urban communities. Implementation of the statewide trauma system~~  
40 ~~plan shall be completed by January 1, 2016.~~

1 ~~SEC. 2. Due to the fact that the American College of Surgeons~~  
2 ~~is the only independent, nonprofit organization that conducts~~  
3 ~~assessments of trauma systems, the Legislature finds and declares~~  
4 ~~that a general statute cannot be made applicable within the meaning~~  
5 ~~of Section 16 of Article IV of the California Constitution and that~~  
6 ~~special legislation is necessary.~~

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